

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Group Art Unit No.: 2141

Kenneth W. Shirriff, et al.

Examiner: Gillis, Brian J.

Serial No.: 10/663,474

Filed: September 15, 2003

For: METHOD AND SYSTEM FOR EVENT
NOTIFICATION

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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

In the Final Office Action mailed on November 8, 2007, pending claims 1-26 and 45-60 were finally rejected based upon various references. Applicants believe that the rejections were clearly improper and without basis. Thus, Applicants are hereby requesting that the rejections be reviewed and withdrawn.

CLAIM REJECTIONS – 35 U.S.C. §102

In the Final Office Action, the Examiner rejected claims 45-49, 52-57 and 60 under 35 U.S.C. §102(e) as being anticipated by Chen et al. (U.S. Pub. No. US2004/0119736). This rejection is clearly improper and without basis.

Independent Claims 45 and 53

Claim 45 recites:

A machine-implemented method, comprising:
obtaining, from a server, a set of status information pertaining to one or more

components;
rendering a display to show the status information for the one or more components;
accessing an event buffer, wherein the event buffer stores one or more events pertaining to the one or more components;
determining whether the event buffer contains any newly added events that require the display to be updated;
in response to a determination that the event buffer contains one or more newly added events that require the display to be updated, obtaining from the server a set of updated status information pertaining to the one or more components; and
rendering an updated display to show the updated status information for the one or more components. (Emphasis added)

Claim 45 provides an advantageous method for determining when to consult a server to obtain updated status information pertaining to one or more components. With the method of claim 45, it is possible to consult the server only when updated status information is available. In particular, claim 45 recites that, in response to a determination that an event buffer contains one or more newly added events that require a display to be updated, the method obtains a set of updated status information pertaining to the one or more components from a server. By doing so, network traffic is kept to a minimum, and server resources are used more efficiently (i.e. the server is not invoked when no updated status information is available). Such a method is neither disclosed nor suggested by Chen.

As argued from page 13, line 4, to page 14, line 2 of the response-after-final filed on January 21, 2008, unlike claim 45, Chen makes absolutely no mention of a server from which status information pertaining to one or more components is obtained. Furthermore, as argued from page 14, line 3, to page 15, line 5 of the response-after-final, there is nothing in Chen that discloses or suggests obtaining a set of updated status information pertaining to the one or more components from a server in response to a determination that the event buffer contains one or more newly added events. Since Chen fails to disclose or suggest at least these aspects of

claim 45, Applicants respectfully submit that the rejection of claim 45 based upon Chen is clearly improper and without basis.

Independent claim 53 is an apparatus counterpart of method claim 45. Applicants submit that the rejection of claim 53 based upon Chen is also clearly improper and without basis for at least the reasons given above in connection with claim 45.

CLAIM REJECTIONS – 35 U.S.C. §103

In the Final Office Action, the Examiner rejected claims 1, 2, 6, 7, 11-13, 17-20, 22, 23, and 25 under 35 U.S.C. §103(a) as being unpatentable over Royce et al. (U.S. Patent No. 5,748,884) in view of Chen. This rejection is clearly improper and without basis.

Claim 1

Claim 1 recites:

A system for event notification, comprising:

an event buffer;

a first node, the first node detecting a situation of interest on the first node and generating a first event in response thereto, the first node sending information pertaining to the first event to the event buffer to be stored therein; and

a remote computing system, the remote computing system displaying a first set of status information for the first node that was previously obtained from a server, the remote computing system polling the event buffer for new events and in response to detecting the first event, the remote computing system interacting again with the server to obtain therefrom a set of updated status information for the first node, the remote computing system thereafter displaying the updated status information. (Emphasis added)

In the Final Office Action, the Examiner admitted that Royce fails to teach "a remote computing system...the remote computing system polling the event buffer for new events and in response to detecting the first event, the remote computing system interacting again with the server to obtain therefrom a set of updated status information for the first node, the remote computing system thereafter displaying the updated status

information" (Emphasis added). The Examiner attempted to compensate for Royce's shortcomings by citing Chen. However, as argued on page 17, lines 3-18 of the response-after-final, Chen also fails to disclose or suggest this aspect of claim 1. Since both Royce and Chen fail to disclose or suggest at least this aspect of claim 1, even if the references were combined (assuming for the sake of argument that it would have been obvious to combine the references), the combination still would not yield the invention as claimed in claim 1. Thus, Applicants respectfully submit that the rejection of claim 1 based upon Royce and Chen is clearly improper and without basis.

Independent Claim 18

Claim 18 recites:

A network for event notification, comprising:
 an event forwarding mechanism in each node of a cluster for forwarding detected events to each other node;
 an event buffer of said cluster to receive and store each event forwarded from a node from an event forwarding mechanism; and
 a remote event monitor for periodically polling said event buffer for changes in pertinent events, and in response to detecting one or more new pertinent events, the remote event monitor causing updated status information pertaining to one or more nodes in said cluster to be obtained from a server and causing the updated status information to be displayed.
 (Emphasis added)

In the Final Office Action, the Examiner admitted that Royce fails to teach "a remote event monitor for periodically polling said event buffer for changes in pertinent events, and in response to detecting one or more new pertinent events, the remote event monitor causing updated status information pertaining to one or more nodes in said cluster to be obtained from a server and causing the updated status information to be displayed" (Emphasis added). The Examiner tried to compensate for Royce's shortcomings by citing Chen. However, as argued on page 19, lines 7-23 of the response-after-final, Chen also fails to disclose or suggest this aspect of claim 18. Since both

Royce and Chen fail to disclose or suggest at least this aspect of claim 18, even if the references were combined (assuming for the sake of argument that it would have been obvious to combine the references), the combination still would not yield the invention as claimed in claim 18. Thus, Applicants respectfully submit that the rejection of claim 18 based upon Royce and Chen is clearly improper and without basis.

Dependent Claims

Dependent claims 2-17, 19-26, 46-52, and 54-60 depend variously from independent claims 1, 18, 45, and 53. Applicants submit that the rejections of these dependent claims are also improper and without basis for at least the reasons given above in connection with the corresponding independent claims.

CONCLUSION

As made clear by the above arguments, the rejections made in the Final Office Action mailed on November 8, 2007, are clearly improper and without basis. Hence, Applicants respectfully request that the rejections be reviewed and withdrawn.

Respectfully submitted,

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Dated: February 29, 2008

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